

Our File No. TAR-259-CM
ATTORNEY ID - 050371991
FISHMAN MCINTYRE LEVINE SAMANSKY, P.C.
120 Eagle Rock Avenue
East Hanover, New Jersey 07936
Tel: (973) 560-9000
Attorneys for Defendant, Target Corporation i/p/a Target Paramus #2381 and Target Paramus #2381

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MINGRUI PATERNO	:	
	:	
Plaintiff,	:	
	:	
-vs-	:	CIVIL ACTION NO.
	:	
TARGET CORPORATION, TARGET	:	
PARAMUS #2381, STARBUCKS, VNO	:	
BERGEN MALL, LLC, C/O L.	:	
OSTAPYSHYN, URBAN EDGE	:	
PROPERTIES, JOHN DOE 1-10, ABC CO.	:	
1-10, (fictitiously named) and XYZ	:	
CORPORATIONS 1-10 (fictitiously named	:	
construction, maintenance, repair, and/or	:	
property management corporations)	:	
	:	
Defendants	:	
	:	

PETITION FOR REMOVAL

Petitioner, Target Corporation improperly plead as Target Paramus #2381 and Target Paramus #2381., by its attorneys, Fishman McIntyre Levine Samansky, P.C., respectfully petitions the United States District Court for the District of New Jersey as follows:

1. Based on information and belief, Target Corporation first received a copy of the Complaint on or about July 18, 2021 through their registered agent.
2. This case was commenced on July 15, 2021 in the Superior Court of New Jersey, Law Division, Bergen County Suit is identified in the Superior Court as Paterno, Mingrui v. Target

Corporation, Target Paramus #2381, Docket No. L-4682-21. (See Exhibit A)

3. The filing of this Petition for Removal is timely because it is filed within thirty days of the date Target Corporation first received notice of the lawsuit.

4. The plaintiff's Complaint in the Superior Court of New Jersey, Law Division, Bergen County, asserts damages of a non-specified amount. Plaintiff, Mingrui Paterno, alleges the defendants negligently and carelessly allowed a dangerous and hazardous condition to exist which caused plaintiff to sustain injuries. As such, Target Corporation, believes the amount in controversy exceeds \$75,000, exclusive of interest and costs.

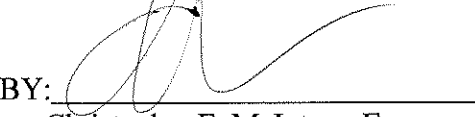
5. Target Corporation is informed and believes that Plaintiff, Mingrui Paterno, is an individual citizen of the State of New Jersey. Defendant/petitioner, Target Corporation is incorporated in the State of Minnesota and its principal place of business is in the State of Minnesota. The action is therefore between citizens and a corporation of other states.

6. Accordingly, this action is removable to this Court pursuant to 28 U.S.C. § 1441.

WHEREFORE, Petitioner, Target Corporation, defendants in the action described herein, which is currently pending in the Superior Court of the State of New Jersey, Law Division, Bergen County, Docket No. L-4682-21, prays that this action be removed therefrom to this Court.

DATED: August 17, 2021

Target Corporation i/p/a Target Paramus #2381 and
Target Paramus #2381

BY: 
Christopher E. McIntyre, Esq.

I certify that a true copy of the Complaint filed in the Superior Court of the State of New Jersey, County of Bergen, along with a copy of the Summons issued to this defendant, is annexed hereto as Exhibit A.

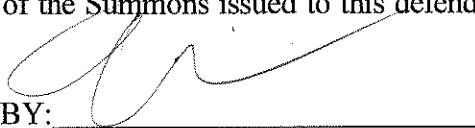
BY: 
Christopher E. McIntyre, Esq.

EXHIBIT A

BRANDON J. BRODERICK, ESQ
ATTORNEY I.D.# 009462006
BRANDON J. BRODERICK, LLC
65 East Route 4, First Floor
River Edge, New Jersey 07661
Attorney for Plaintiff(s)
(201) 853-1505

MINGRUI PATERNO,

Plaintiff(s),

v.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION:BERGEN COUNTY

DOCKET NO. BER-L-

TARGET CORPORATION; TARGET -
PARAMUS, #2381; STARBUCKS;
VNO BERGEN MALL, LLC, C/O L.
OSTAPYSHYN; URBAN EDGE
PROPERTIES; JOHN DOE 1-10
(fictitiously named), ABC Co.
1-10 (fictitiously named), and
XYZ CORPORATIONS 1-10
(fictitiously named
construction, maintenance,
repair, and/or property
management corporations),

Defendant(s).

Civil Action

COMPLAINT
and
JURY DEMAND

The Plaintiff, Mingrui Paterno, residing at 401 - 8th Street
in the Borough of Carlstadt, Bergen County, New Jersey, by way of
Complaint against the Defendants, says:

FIRST COUNT

1. On or about the 19th day of July 2019, the Plaintiff, Mingrui Paterno, was lawfully on premises located at or near Target/Starbucks, 900 Bergen Towne Center in the Borough of Paramus, Bergen County, New Jersey.

2. At the same time, the Defendants, TARGET CORPORATION; TARGET - PARAMUS, #2381; STARBUCKS; VNO BERGEN MALL, LLC, C/O L. OSTAPYSHYN; URBAN EDGE PROPERTIES; JOHN DOE 1-10 (fictitiously named), ABC Co. 1-10 (fictitiously named) and XYZ Corporations 1-10 (fictitiously named construction, maintenance, repair and/or property management corporations) were the owners or were in control and operation of the premises.

3. At the same time, the Defendants, through arrangement, agreement, or acts or omission of agent, servant, employee, were responsible for the construction, remodeling, maintenance, repair, management, supervision or upkeep of the premises.

4. At the same time and place, the Defendants negligently and carelessly allowed a dangerous and hazardous condition to exist on the property or failed to warn of same which caused Plaintiff to sustain injuries.

5. As a direct and proximate cause of the foregoing, Plaintiff was caused to sustain serious and permanent injuries, has suffered great pain, shock and mental anguish and was and still is incapacitated and will be permanently disabled and has in the past and will in the future be caused to expend substantial sums of money for needed treatment.

6. Plaintiff has complied with all conditions precedent to suit.

WHEREFORE, Plaintiff, Mingrui Paterno, demands judgment against the Defendants, TARGET CORPORATION; TARGET - PARAMUS, #2381; STARBUCKS; VNO BERGEN MALL, LLC, C/O L. OSTAPYSHYN; URBAN EDGE PROPERTIES; John Doe 1-10 (fictitiously named), ABC Co. 1-10 (fictitiously named) and XYZ Corporations 1-10 (fictitiously named construction, maintenance, repair and/or property management corporations), jointly, severally or in the alternative, for damages, together with interest, costs of suit and attorney's fees.

SECOND COUNT

1. Plaintiff repeats and reiterates each and every allegation contained in the First Count of the Complaint as if the same were fully set forth herein at length.

2. Defendants negligently hired, trained, supervised, and/or managed its agents, servants and/or employees, which negligence was a proximate cause of plaintiff's injuries.

3. Defendants, through their agents, servants and/or employees contributed to plaintiff's injuries by failing to provide adequate security, to properly secure the subject premises, and/or to eliminate conditions on the property that encourage criminal or other behavior that could foreseeably lead to bodily injury, and/or failed to warn of same.

WHEREFORE, Plaintiff, Mingrui Paterno, demands judgment against the Defendants, TARGET CORPORATION; TARGET - PARAMUS, #2381; STARBUCKS; VNO BERGEN MALL, LLC, C/O L. OSTAPYSHYN; URBAN EDGE PROPERTIES; John Doe 1-10 (fictitiously named), ABC Co. 1-10 (fictitiously named) and XYZ Corporations 1-10 (fictitiously named construction, maintenance, repair and/or property management corporations), jointly, severally or in the alternative, for damages, together with interest, costs of suit and attorney's fees.

DESIGNATION OF TRIAL COUNSEL

Plaintiff hereby designates Brandon J. Broderick, Esq. as designated trial counsel pursuant to R.4:5-1 (c).

JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues herein.

DEMAND FOR ANSWERS TO INTERROGATORIES

Pursuant to Rule 4:17-1 et seq., plaintiff hereby demands that all defendants provide answers to Uniform Interrogatories.

DEMAND FOR PRODUCTION OF DOCUMENTS

Demand is hereby made for the production of all documents referred to in the following Notice to Produce.

NOTICE TO PRODUCE

Plaintiff hereby demands that all defendants provide the following documents:

1. Clear and legible copies of any signed or unsigned statements from any eyewitnesses to any aspect of the incident set forth in the Plaintiff's Complaint.
2. Clear and legible copies of all liability expert witness reports that the Defendant intend to rely upon at the time of trial.
3. All photographs of the location of the incident described in the Plaintiff's Complaint.
4. The names and addresses of all proposed witnesses for the Defendants.
5. Any and all videotapes of the incident described in Plaintiff's complaint

TIME-UNIT ARGUMENT

Please take notice that pursuant to Rule 1:7-1, plaintiff reserves the right to use a time-unit argument with reference to unliquidated damages.

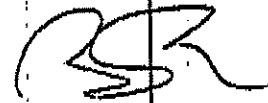
DEMAND TO PRESERVE EVIDENCE

All defendants are hereby directed and demanded to preserve all physical and electronic information pertaining in any way to plaintiff's employment, to plaintiff's cause of action and/or prayers for relief, to any defenses to same, and pertaining to any party, including, but not limited to, electronic data storage, closed circuit TV footages, digital images, computer images, cache memory, searchable data, emails, spread sheets, employment files, memos, text messages and any and all online social work or related websites, entries on social networking sites (including, but not limited to, Facebook, Twitter, MySpace, etc.) an any other information and/or data and/or things and/or documents which may be relevant to any claim or defense in this litigation, Failure to do so will result in separate claims for spoliation of evidence and/or for appropriate adverse inferences.

CERTIFICATION PURSUANT TO RULE 4:5-1

Pursuant to Rule 4:5-1, the undersigned certifies that the matter in controversy is not the subject of any other action pending in any Court or of a pending arbitration proceeding, nor is any other action or arbitration proceeding contemplated.

BRANDON J. BRODERICK, LLC



Brandon J. Broderick, Esq.
Attorney for Plaintiff

Dated: July 7, 2021

Civil Case Information Statement

Case Details: BERGEN Civil Part Docket# L-004682-21

Case Caption: PATERNO MINGRUI VS TARGET CORPORATION

Case Initiation Date: 07/15/2021

Attorney Name: BRANDON JAMES BRODERICK

Firm Name: BRANDON J. BRODERICK, ESQ. LLC

Address: 85 EAST ROUTE 4 1ST FL
RIVER EDGE NJ 07661

Phone: 2018531505

Name of Party: PLAINTIFF : Paterno, Mingrui

Name of Defendant's Primary Insurance Company (If known): Sedgwick Claims

Case Type: PERSONAL INJURY

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

Are sexual abuse claims alleged by: Mingrui Paterno? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b)

07/15/2021
Dated

/s/ BRANDON JAMES BRODERICK
Signed